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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/651,683	08/29/2003	Nikhil V. Kelkar	NSC1P276/P50668	9210
22434	7590	10/13/2006	EXAMINER	
BEYER WEAVER & THOMAS, LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			WIMER, MICHAEL C .	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

2/

Office Action Summary	Application No. 10/651,683	Applicant(s) KELKAR ET AL.	
	Examiner Michael C. Wimer	Art Unit 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) _____ is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-25, 29-34 and 37 is/are rejected.
- 7) ☒ Claim(s) 26-28, 35 and 36 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claims 21-37 is withdrawn in view of the newly discovered reference(s) to (W0/03/063211). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 21,22,24,25,29-31,33,34 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gengel et al. (WO/03/063211).

Regarding Claim 21,22,24,25,30,31,33 and 34, Gengel et al. show in Figures 12A and 12B, a radio frequency ID package/system comprising an antenna arrangement having a plurality of traces 1240 adapted to be attached to a plurality of RFID poles 1215, where the IC contact pads are within the contact holes 1215, and an RFID package including an RF IC 1220 and the plurality of traces 1240 (left and right arms of the dipole antenna shown in Fig. 12A) are directly connected to the exposed poles 1215, when the RFID package is in any of a plurality of distinct positions with respect to the antenna arrangement. A skilled artisan would recognize as obvious, that the IC package comprises an RFID arrangement. Also, a skilled artisan would have found it obvious that since

the dipole arms are symmetrically arranged, then they may be attached to the IC's contact pads in any rotational position. In other words, the IC may connect to either the dipole arms since they are the same.

Regarding Claims 29 and 37, the geometry of the poles is an obvious choice dependent upon package geometry/arrangement/design.

4. Claims 23 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gengel et al as applied to claims 21 and 30 above, and further in view of Gogami et al. (EP1167068 A1).

Regarding Claim 23 and 32, since Gengel et al only show two poles connected to respective arms of a dipole antenna, there appears to be no suggestion of at least three positions in which the antenna may be connected thereto. Thus, Gogami et al are cited as evidence of obviousness and as resolving the level of ordinary skill in the antenna art and shows at least three IC contacts connected to the loop antenna and teach in col. 4, lines 54-57 that three, four or five IC contact pads may be employed. Thus, the antenna may be rotated and connected as needed.

Allowable Subject Matter

5. Claims 26-28,35 and 36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

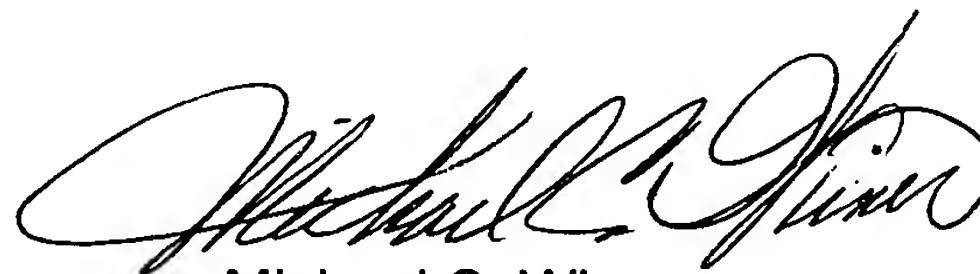
Response to Arguments

6. Applicant's arguments with respect to claims of record have been considered but are moot in view of the new ground(s) of rejection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Wimer whose telephone number is (571) 272-1833. The examiner can normally be reached on M-F.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Michael C. Wimer
Primary Examiner
Art Unit 2821

MCW
9/27/2006